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Electronically Filed on _____

Attorney for Secured Creditor

The Bank of New York Mellon, fka The Bank of New York, as successor to JP Morgan Chase Bank, N.A., as Trustee, not in its individual capacity but solely as Trustee for Pooling and Servicing Agreement dated as of April 1, 2005 First Franklin Mortgage Loan Trust 2005-FF5 Asset-Backed Certificates, Series 2005-FF5 09-76149

UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA

In re:	BK09-25403-mkn
	Chapter 7
Allen Yans	NOTICE OF ENTRY OF ORDER VACATING AUTOMATIC STAY HEARING DATE: 10/28/09 HEARING TIME: 1:30pm
Debtor.	ESTIMATED TIME: 5 Minutes

PLEASE TAKE NOTICE that on the 16th day of November, 2009, Order Vacating Automatic Stay was entered by the court. Copy of order is attached herewith.

DATED: _____

WILDE & ASSOCIATES

By  #10235

GREGORY L. WILDE, ESQ.
 Attorney for Secured Creditor
 208 South Jones Boulevard
 Las Vegas, Nevada 89107



Entered on Docket
November 16, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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and

MARK S. BOSCO, ESQ.
Arizona Bar No. 010167
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2525 East Camelback Road, Suite 300
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Telephone: (602) 255-6000

The Bank of New York Mellon, fka The Bank of New York, as successor to JP Morgan Chase Bank, N.A., as Trustee, not in its individual capacity but solely as Trustee for Pooling and Servicing Agreement dated as of April 1, 2005 First Franklin Mortgage Loan Trust 2005-FF5 Asset-Backed Certificates, Series 2005-FF5
09-76149

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Allen Yans

Debtor.

BK-S-09-25403-mkn

Date: 10/28/09
Time: 1:30pm

Chapter 7

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor The Bank of New York Mellon, fka The Bank of New York, as successor to JP Morgan Chase Bank, N.A., as Trustee, not in its individual capacity but solely as Trustee for Pooling and Servicing Agreement dated as of April 1, 2005 First Franklin Mortgage Loan Trust 2005-FF5 Asset-Backed Certificates, Series 2005-FF5, its assignees and/or successors in interest, of the subject property, generally described as 4416 Fernbrook Rd., Las Vegas, NV 89103.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors and Trustee at least five business days' notice of the time, place and date of sale.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that in the event a Notice
2 of Default was recorded against this particular property prior to July 1, 2009, the Debtor(s) can promptly
3 submit a copy of this order to the State of Nevada, Foreclosure mediation program and the Order will be
4 construed as an agreement between the Secured Creditor and the Debtor(s) that they have voluntarily
5 agreed to a mediation under the Nevada State Foreclosure Mediation program pursuant to Rule 6 of said
6 program. The necessary information can be accessed at "<http://www.nevadajudiciary.us/>"
7

8 DATED this 10th day of November 2009

9 Submitted by:

10 **WILDE & ASSOCIATES**

11 By *G. Wilde* #10235

12 **GREGORY L. WILDE, ESQ.**

13 Attorney for Secured Creditor

14 208 South Jones Boulevard

Las Vegas, Nevada 89107

15 APPROVED / DISAPPROVED

16 _____
pro se

17 Attorney for Debtor(s)

18 APPROVED / DISAPPROVED

19 _____
20 William A. Leonard

21 5030 Paradise Road, #B216

22 Las Vegas, NV 89119

23 Chapter 7 Trustee
24
25
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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☐ failed to respond to the document

16 Other Party: _____

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☒ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

23 Submitted by:

24 /s/ Gregory L. Wilde, Esq.

25 Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor

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16 The Bank of New York Mellon, fka The Bank of New York, as successor to JP Morgan Chase Bank,
17 N.A., as Trustee, not in its individual capacity but solely as Trustee for Pooling and Servicing
18 Agreement dated as of April 1, 2005 First Franklin Mortgage Loan Trust 2005-FF5 Asset-Backed
19 Certificates, Series 2005-FF5
20 09-76149

21 **UNITED STATES BANKRUPTCY COURT**
22 **DISTRICT OF NEVADA**

23 In Re:

BK-S-09-25403-mkn

24 Allen Yans

Date: 10/28/09

Time: 1:30pm

Chapter 7

25 Debtor.

26 **CERTIFICATE OF SERVICE**

1. On 12-11-09 I served the following document(s):

NOTICE OF ENTRY OF ORDER VACATING AUTOMATIC STAY

2. I served the above-named document(s) by the following means to the persons as listed below:

1
2 **X a. ECF System**

3 William A. Leonard
4 biff7tte@mindspring.com
Trustee

5 **X b. United States mail, postage fully prepaid:**

6 Allen Yans
7 4416 Fernbrook Rd.
8 Las Vegas, NV 89103
Debtor

9 ☐ **c. Personal Service** (List persons and addresses. Attach additional paper if necessary)

10 I personally delivered the document(s) to the persons at these addresses:

11 ☐ 1. For a party represented by an attorney, delivery was made by handing the
12 document(s) to the attorney's office with a clerk or other person in charge, or if no one is charge
13 by leaving the document(s) in a conspicuous place in the office.

14 N/A

15 ☐ 2. For a party, delivery was made by handing the document(s) to the party or
16 by leaving the document(s) at the person's dwelling house or usual place of abode with someone
17 of suitable age and discretion residing there.

N/A

18 ☐ **d. By direct mail (as opposed to through the ECF System)**

19 *(List persons and email addresses. Attach additional paper if necessary)*

20
21 Based upon the written assignment of the parties to accept service by email or a court order. I
22 caused the document(s) to be sent to the persons at the mail addresses listed below. I did not
23 receive, within a reasonable time after the transmission, any electronic message or other
24 indication that the transmission was unsuccessful.

25 ☐ **e. By fax transmission** *(List persons and fax numbers. Attach additional paper if necessary)*

26

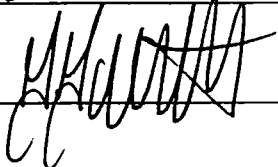
1 Based upon the written assignment of the parties to accept service by fax transmission or
2 a court order. I faxed the document(s) to the persons at the fax numbers listed below. No error
3 was reported by the fax machine that I used. A copy of the record of the fax transmission is
4 attached.
5

6 ☐ **f. By messenger** *(List persons and addresses. Attach additional paper if necessary)*
7

8 I served the document(s) by placing them in an envelope or package addressed to the
9 persons at the addresses listed below and providing them to a messenger for service.

10 *(A declaration by the messenger must be attached to this Certificate of Service).*
11

12 **I declare under penalty of perjury that the foregoing is true and correct.**
13

14 Signed on : 12-11-09
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